

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Julie J. Hand, et al.

Serial No. : 09/966,568  
Filed : September 27, 2001

Group :  
Examiner :



**31970**  
PATENT TRADEMARK OFFICE

Title : DISPOSABLE REMOTE ZERO HEADSPACE EXTRACTOR

CUSTOMER NO.: 31970

**DECLARATION AND STATEMENT OF AUTHENTICITY  
OF BETTY A. WINCHESTER  
IN SUPPORT OF PETITION UNDER 37 CFR § 1.181  
TO RESTART PERIOD FOR REPLY DUE TO LATE RECEIPT OF AN OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, D. C. 20231

ATTN: Supervisory Patent Examiner

Sir:

I, Betty A. Winchester, hereby declare:

That I am a Paralegal Specialist in the Office of the Assistant General Counsel for  
Technology Transfer and Intellectual Property of the United States Department of Energy;

That I was in that position in October 2001;

That my duties at that time included the processing of all domestic Notices, Office  
Actions and other forms of Communications received from the U.S. Patent and  
Trademark Office (PTO);

That our office procedure is that all such Notices and Office Actions would be  
delivered to me by the person who opens the mail and date stamps the mail, unless I  
personally opened and stamped the mail, in which case I take them to my desk;

That I maintain a computerized record of all received Office Actions and other papers from the U.S. Patent and Trademark Office (PTO);

That I maintain a file wrapper record of all received Office Actions and other PTO documents;

That upon receiving an Office Action from the PTO, I enter the action code and the due date into the computer;

That upon receiving an Office Action from the PTO, I would place a copy of the Action in the file and enter a record of that paper on the front of the file wrapper;

That attached hereto as **Exhibit A** is a copy of our file wrapper record of application serial number 09/966,568, showing that the non-provisional application was filed on September 27, 2001, and which lists all notices or communications received from the United States Patent and Trademark Office, including receipt by facsimile on 4/19/2002 of the Notice to File Missing Parts dated 10/25/2001;

That if a Notice to File Missing Parts for application serial number 09/966,568 had been delivered to me in October/November 2001, I would have processed it as stated above;

That I hereby declare that no such Notice to File Missing Parts for application serial number 09/966,568, was ever delivered to me or was ever in any mail opened by me until its receipt by facsimile to our Chicago Office on 4/19/2002;

That as an employee of the Department of Energy I was informed that, in response to terrorist activities, all mail to the Department of Energy was discontinued on October 21, 2001 and not reinstated until November 19, 2001, with further continuing delays

caused by the sanitizing of all mail for possible anthrax contamination through a facility in Ohio prior to delivery;

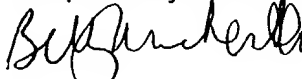
That delivery of mail to the Department of Energy is only being delivered after sanitization and once received is being processed immediately by me.

I also hereby authenticate the attached facsimile copy of the Notice to File Missing Parts dated 10/25/2001 is a true copy of the original received by the Department of Energy which shows DOE's incoming mail stamp of 4/19/2002 which is automatically affixed by the facsimile machine upon receipt (**Exhibit B**);

That I acknowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of application serial number 09/966,568 or any patent which may be issue thereon.

That all statements made herein are of my own knowledge and belief are true and that all statements made on information and belief are believed to be true.

Respectfully submitted,



Betty A. Winchester  
Paralegal Specialist  
Office of the Assistant General Counsel  
for Technology Transfer and  
Intellectual Property

Attachment:  
Exhibits A&B

Washington, D. C.  
202-586-2810

Dated: May 1, 2002

WAIVER NO. W ( ) \_\_\_\_\_  
 STATUS: \_\_\_\_\_

Julio J. Hand  
Mark P. Roberts

SERIAL NO.

09/866,568

TITLE

September 27, 2001

FILED

Disposable Remote Zero Headspace  
Extractor

 ASSIGNED TO  
 LICENSED TO U.S. GOVERNMENT AS REPRESENTED BY DOE

RIGHTS \_\_\_\_\_ DATED \_\_\_\_\_

RECORDED \_\_\_\_\_ PUBLIC FILE \_\_\_\_\_ REEL \_\_\_\_\_ FRAME(S) \_\_\_\_\_

OFFICE ACTION

RESPONSE DUE

AMENDED

1.

2.

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12.

Missing Parts 10-25-01
Resto for 4190
12-25-01
Filed Express Mail 9-27-01 N/101
EXHIBIT A
 Copy of DOE's file wrapper  
 for SN 09/966,568.

 RECEIVED  
 PATENT NO. \_\_\_\_\_

DATED \_\_\_\_\_

FOREIGN FILING \_\_\_\_\_

CLASSIFICATION \_\_\_\_\_ S.O. ISSUED \_\_\_\_\_ DECLASSIFIED \_\_\_\_\_ S.O. RESCINDED \_\_\_\_\_

FIELD OFFICE:

CH/ISA
☒ CHECK HERE WHEN  
 ENTERED INTO COMPUTER

PTO Drawing Request \_\_\_\_\_

Proposed Drawing Correction Filed \_\_\_\_\_

Corrections Requested \_\_\_\_\_

Corrections Made \_\_\_\_\_


 APPLICANT HA D ADD ROBERTS SER. NO. 09/966568 FILE NO. 5-80953 NO.